

**FILED**  
DISTRICT COURT OF GUAM  
AUG - 8 2006  
**MARY L.M. MORAN**  
**CLERK OF COURT**

IN THE UNITED STATES DISTRICT COURT  
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 06-00028  
Plaintiff, )  
vs. )  
JUN PYO KIM, )  
Defendant. )  
)

**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY  
IN A FELONY CASE**

The defendant, by consent, has appeared before me pursuant to Rule 11 of the Federal Rules of Criminal Procedure, and has entered a plea of guilty to an Information charging him with Presentation of Immigration Documents Containing False Statements, in violation of 18 U.S.C. § 1546(a). After examining the defendant under oath, I have determined that the defendant is fully competent and capable of entering an informed plea, that the guilty plea was voluntary, and that the defendant understands that the offense charged is a Class 1 felony.

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1 independent basis in fact establishing each of the essential elements of such offense. I therefore  
2 recommend that the plea of guilty be accepted and that the defendant be adjudged guilty and  
3 have sentence imposed accordingly.

4 IT IS SO RECOMMENDED.

5 DATED this 8<sup>th</sup> day of August 2006.

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JOAQUIN V.E. MANIBUSAN, JR.  
United States Magistrate Judge

10 **NOTICE**

11 Failure to file written objections to this Report and Recommendation within  
12 ten (10) days from the date of its service shall bar an aggrieved party from  
attacking such Report and Recommendation before the assigned United States  
District Judge. 28 U.S.C. § 636(b)(1)(B).

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